

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re:
TETHER AND BITFINEX
CRYPTO ASSET LITIGATION

19 Civ. 9236 (KPF)

**STIPULATION AND ORDER GOVERNING THE BRIEFING SCHEDULE AND PAGE
LIMITS FOR PLAINTIFFS' MOTION FOR LEAVE TO FILE
SECOND AMENDED CONSOLIDATED COMPLAINT**

WHEREAS, plaintiffs Matthew Script, Benjamin Leibowitz, Jason Leibowitz, and Pinchas Goldshtein ("Plaintiffs") moved for leave to file a Second Amended Consolidated Complaint on October 24, 2023 (ECF No. 479) (the "Motion to Amend");

WHEREAS, defendants iFinex Inc., BFXNA Inc., BFXWW Inc., Tether Holdings Limited, Tether Operations Limited, Tether Limited, Tether International Limited, DigFinex Inc., Giancarlo Devasini, Ludovicus Jan van der Velde (the "B/T Defendants") and Philip Potter (together with the B/T Defendants, "Defendants") intend to oppose Plaintiffs' pending Motion to Amend;

WHEREAS, during the pretrial conference on October 31, 2023, Defendants sought additional time and pages to respond to Plaintiffs' Motion to Amend;

WHEREAS, the Court ordered the parties to propose a briefing schedule and page limits for Defendants' oppositions to Plaintiffs' Motion to Amend and Plaintiffs' reply thereto; and

WHEREAS, the Court adjourned the schedule for class certification, including Plaintiffs' motion for class certification and supporting expert reports currently due on November 20, 2023 (ECF No. 387), pending the Court's decision on Plaintiffs' Motion to Amend;

IT IS HEREBY STIPULATED AND AGREED by the Parties, by and through their undersigned counsel, as follows:

1. The B/T Defendants' brief in opposition to Plaintiffs' Motion to Amend shall be due December 8, 2023, and the B/T Defendants may file a brief not to exceed 45 pages;
2. Philip Potter's brief in opposition to Plaintiffs' Motion to Amend shall be due December 8, 2023, and Philip Potter may file a brief not to exceed 5 pages; and
3. Plaintiffs' reply brief in support of their Motion to Amend shall be due January 12, 2024, and Plaintiffs may file a single consolidated reply brief not to exceed 30 pages.

IT IS SO STIPULATED.

/s/ Andrew R. Dunlap

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Attorney for Defendant Philip G. Potter

Dated: November 2, 2023

IT IS SO ORDERED, this 3rd day of November, 2023.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

Hon. Katherine Polk Failla
United States District Judge